

CASE NUMBER:

PZC # 42-2020

TYPE:

TEXT

AMENDMENT



Village of Westmont
Board of Trustees
Memorandum
July 16, 2020

Item for Board of Trustees Consideration:

A request from the Village of Westmont regarding a Zoning Code text amendment as follows:

(A) Amend Appendix A: Article VIII - Manufacturing and Office/Research Districts, Section 8.12. - allowing eating establishments and food retail uses as permitted accessory uses in the O/R office/research district, including definitions.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission recommended approval at the July 8, 2020 Public Hearing.

I. Summary

A. Background

In the last year, the owner of the office building at 700 Oakmont (Oakmont Point) has renovated that building by removing portions of the original building, leaving two separate buildings. See Staff Report for PZC #18-017 for details about that renovation project.

The resulting two buildings are now addressed as 700 and 750 Oakmont Lane. The owner has renovated most of 700 Oakmont Lane, including offices for JLL on the second and third floors.

The owner of 700 Oakmont Lane has proposed installing a deli with a commercial kitchen in the first-floor lobby of this building, to serve the office workers within the building. This arrangement would be similar to what currently exists at “The Deli at 601” at 601 Oakmont Lane, and at Cafe De Jenola at 999 Oakmont Point.

Current Community Development Department staff can find no record of any zoning approvals for these 2 existing deli/commercial kitchens within office buildings in our files, and the Village’s zoning ordinance is silent regarding such accessory restaurant or deli uses. Therefore, the Zoning Code would indicate that these uses are currently not allowed, either as permitted or special uses.

The interior remodel building permit request for the deli and large seating area at 700 Oakmont Lane has prompted staff to recommend this proposed text amendment to clarify how such deli-restaurant uses within office buildings are regulated.

B. Critical Issues

Staff is proposing the following changes to the zoning code:

There is no ‘Use Table’ for the O/R district. Modify Section 8.08 and 8.13 in the O/R districts to add the following, as accessory uses:

1. Food and Beverage retail uses as accessory uses to listed permitted uses in mixed-use buildings;
2. Indoor eating areas as accessory uses to listed permitted uses in mixed-use buildings;
3. Outdoor Eating Areas Accessory to Food and Beverage Uses.
 - a. (a) Primary access to the area shall be from within the establishment.
 - b. (b) Hours of operation may be restricted and noise and lighting limits imposed as part of the conditional use approval.
 - c. (c) Where the use is conditional, an appropriate transition area between the use and adjacent property may be required, using landscaping, screening,

and other site improvements consistent with the character of the neighborhood.

C. Policy

The proposed Zoning Text Amendments will provide more services for the employees of office spaces.

D. Legal

Notification: Westmont Village codes and Illinois State statutes require proposed Zoning Text Amendments to be advertised with a Class Two Legal Notices and to be considered by the Plan Commission at a public hearing. Public notice was provided in the Westmont Suburban Life on June 18, 2020.

Other Required Actions: Village Board action is required for these proposed Ordinance Amendments. After the Planning and Zoning Commission has made a recommendation, the appropriately-worded Text Amendments will be taken to the Village Board for review and a final decision on July 16, 2020.

Code Reference: Village Zoning Code Section 8.12 specifies permitted and special uses in the O/R district and Section 13-11 specifies the requirements to follow when making Zoning Code Text Amendments.

II. Recommended Conditions, Stipulations, or Other Requirements

None

III. Attachments and References

1. Attachment 1—Proposed new ordinance language.

Attachment 1

Proposed revisions to the Village of Westmont Code of Ordinances:

1. Modifying permitted and special uses in the office/research district, as follows:

A. Section 8.12 and 8.13 of the Code of Ordinances are MODIFIED to read:

Uses permitted in the O/R office/research district shall include the following:

- (A) Offices for administrative, business, executive, professional, research or similar organizations.
- (B) Research (and design) laboratories.
- (C) Religious institutions.
- (C1) Daycare centers.
- (D) Accessory uses to the above uses, including, but not limited to:
 - (1) Off-street parking and loading as required in article X.
 - (2) Signs as regulated in article XI.
 - (3) Reserved.
 - (4) Antennas attached to any building or structure which is four or more stories in height, not to exceed ten percent of the height of the building or structure.
 - (5) Video gaming. (See definition)
 - (6) Food and Beverage retail stores
 - (7) Indoor eating areas.
- (E) Special uses.
 - (1) Full service stand-alone restaurants seating no less than 200 persons, and offering no drive-through service.
 - (2) Hotels.
 - (3) Freestanding antennas and towers of any kind, as a primary or accessory use, subject to the restrictions set forth in section 4.05(E)(31).
 - (4) Outdoor Eating Areas Accessory to Food and Beverage Uses.
 - (a) Primary access to the area shall be from within the establishment.
 - (b) Hours of operation may be restricted and noise and lighting limits imposed as part of the special use approval.
 - (c) An appropriate transition area between the use and adjacent property may be required, using landscaping, screening, and other site improvements consistent with the character of the neighborhood.

B. Article XIV: Definitions. of the Code of Ordinances is MODIFIED to read:

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Floor area ratio: The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. The floor area ratio as designated for each district, when multiplied by the lot area in square feet, shall determine the maximum permissible floor area for the building or buildings on the lot.

Food and beverage retail stores: Includes delis, restaurants, and other businesses that sell foods prepared on-site. Excludes catering establishments.

Footcandle: A unit of illumination, equivalent to the illumination at all points which are one foot distant from a uniform point source of one candlepower.

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